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SENATE BILL 1163

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Gerald P. Ortiz y Pino

AN ACT

RELATING TO PUBLIC SCHOOLS; REQUIRING PARENTAL NOTICE AND
PERMISSION BEFORE PUBLIC SCHOOLS RELEASE PERSONAL INFORMATION
ABOUT STUDENTS TO RECRUITERS; PROVIDING OTHER LIMITATIONS;
PROVIDING FOR ADMINISTRATION OF THE ARMED SERVICES VOCATIONAL
APTITUDE BATTERY TEST.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Public School Code is
enacted to read:

"[NEW MATERIAL] STUDENT INFORMATION--PRIVACY AND CHOICE IN
DISCLOSURE--LIMITATIONS ON RECRUITMENT.--

A. As used in this section, "post-secondary
recruiter" means anyone who is recruiting students to enroll in
any school, college or university; to join any business, firm
or other employment; or to join any branch of the armed

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1 services.

2 B. Each public secondary school shall provide
3 information each year to its students and parents explaining
4 that they have the choice to withhold student personal
5 information from post-secondary recruiters. Students who have
6 reached the age of majority or who are emancipated minors and
7 parents of minor students may specify their choice to opt out
8 of student personal information disclosures to any or all post-
9 secondary recruiters.

10 C. One additional written announcement shall be
11 made to parents and students informing them of their rights not
12 less than one week prior to releasing students' names,
13 addresses and telephone numbers to post-secondary recruiters.
14 The announcement shall include the date on which student
15 personal information will be released to post-secondary
16 recruiters. Students who have reached the age of majority or
17 who are emancipated minors and parents of minor students shall
18 be allowed to change their decisions regarding student personal
19 information disclosure up to three days prior to release of the
20 information.

21 D. Public secondary schools shall not release
22 student personal information prior to October 1 of each year.

23 E. Each public secondary school shall set limits on
24 the number of visits and the total hours of access by any post-
25 secondary recruiting organization. Post-secondary recruiting

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1 visits shall not exceed the equivalent of six school days per
2 academic year.

3 F. Each public secondary school shall require
4 advance notification before post-secondary recruiters visit the
5 high school campus. The public secondary school shall maintain
6 a log of post-secondary recruiters, their organizations and the
7 dates and times of visits to the school campus.

8 G. Post-secondary recruiters shall be restricted to
9 designated locations and not allowed to move about the school
10 campus unaccompanied by a teacher or other school staff member.
11 Designated locations shall be publicly visible and accessible,
12 such as student centers, classrooms or cafeterias, and
13 recruiters shall not be allowed to have unsupervised access to
14 minor students. Minor students shall not be released into the
15 custody of a post-secondary recruiter without the written
16 permission of the student's parent."

17 Section 2. A new section of the Public School Code is
18 enacted to read:

19 "[NEW MATERIAL] ADMINISTRATION OF ARMED SERVICES
20 VOCATIONAL APTITUDE BATTERY TEST.--Any public school that
21 administers the armed services vocational aptitude battery test
22 shall choose "option eight no release to recruiters"; provided
23 that this requirement does not limit a student who has reached
24 the age of majority or who is an emancipated minor or a parent
25 of a minor child from electing to release the student's test

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1 results and student personal information directly to a military
2 post-secondary recruiter. Students and parents shall be
3 informed that taking the armed services vocational aptitude
4 battery test is not mandatory. Each public school shall
5 provide students with alternative educational activities if its
6 classrooms are being used for the test."

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